## REMARKS

Reconsideration of this application as amended is requested. By this amendment Applicants have amended allowed claim 6 to correct a grammatical error and have amended claim 2 for clarity. Claims 1-6 remain in the case.

The Examiner rejected claims 1 and 2 under 35 U.S.C. 102(e) as being anticipated by Baumann and claim 3 under 35 U.S.C. 103(a) as being unpatentable over Baumann; objected to claims 4 and 5 as depending from a rejected base claim; and allowed claim 6. Applicants have amended claim 6 to correct an obvious grammatical error, changing "a identification" to "an identification."

With respect to claims 1 and 2 the Examiner stated that Baumann teaches a method of identifying a signal type comprising the steps of selecting a signal of interest from a displayed spectral waveform for a specified range of frequencies (col. 5, lls. 29-39), processing data representing the signal of interest to ascertain characteristics of the signal of interest (col. 5, lls. 35-45), and from the characteristics of the signal of interest determining an identification of the signal type (col. 5, lls 54-65) where the determining step comprises the step of comparing the frequency of the signal of interest with a database of spectral assignments for a plurality of known signals to identify the signal type (col. 5, lls. 46-65). Applicants respectfully traverse this improper and nonobvious conclusion by the Examiner.

In contradistinction to Applicants' claimed invention Baumann discloses a method and apparatus for authenticating a particular cellular telephone (subscriber unit) and verifying that it is being used by a valid user for that telephone. A signal characteristic analyzer 230 measures the RF signature of the subscriber unit, and

includes a spectrum analyzer to identify spurious spectral content which, along with other measurements, forms an RF signature datagram. The RF signature datagram is compared with a stored user profile to identify the subscriber unit. This is not a method of identifying a signal ***type***, but to describe a particular signal signature from amongst multiple signals of the same type.

Applicants fail to find in Baumann the step of selecting a signal of interest from a displayed spectral waveform for a specified range of frequencies. Although Baumann uses a spectrum analyzer to determine spurious spectral content associated with an RF signal, Baumann has no selection process – if the signal is received at the node, it is processed. Finally as indicated above Baumann does not identify signal ***type***, but rather the subscriber unit – all subscriber units have the same signal type. Therefore Baumann neither teaches nor suggests to one of ordinary skill in the art the invention as recited by Applicants in claim 1.

Applicants also fail to find that Baumann compares the frequency of the selected signal of interest with a database of spectral assignments for a plurality of known signal types (claim 2 has been amended to make it clear that it is signal type characteristics that are being compared, not characteristics of signals of the same type). Therefore Baumann neither teaches nor suggests to one of ordinary skill in the art the invention as recited by Applicants in claim 2.

With respect to claim 3 the Examiner stated that, since Baumann does disclose a processing step comprising estimating different characteristics for the signal of interest in order to have an input for the determining step (col. 6, lls. 58-66) and estimating an occupied bandwidth for a signal is very well known in the art, one of ordinary skill in the art at the time the invention was made would have looked to

add bandwidth estimation to Baumann's invention in order to allow for more accurate measurements and better authentication means. The Examiner references biometric measures of the user, which has nothing to do with identifying the signal. Further since Baumann does not have to identify signal type, there is no reason why one of ordinary skill in the art would add an estimation of occupied bandwidth to Baumann. All the signals that Baumann looks at would have the same occupied bandwidth, so such a measurement would not enhance the authentication of the subscriber unit and user. Therefore Baumann does not suggest to one of ordinary skill in the art the invention as recited by Applicants in claim 3.

Applicants note that the Examiner indicated that claims 4 and 5 contained allowable subject matter, and submit that these claims are allowable in their present form since they depend from claims deemed to be allowable.

In view of the foregoing amendment and remarks allowance of claims 1-5 is urged, and such action and the issuance of this case including allowed claim 6 are requested.

Respectfully submitted,

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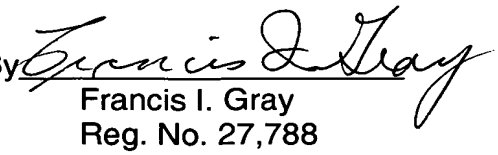
By 
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